

STATE OF MAINE

v.

JOHN ARNDT

Submitted on Briefs June 2, 2015
Decided August 4, 2015

Panel: SAUFLEY, C.J., and ALEXANDER, MEAD, JABAR, and HJELM, JJ.

MEMORANDUM OF DECISION

John Arndt appeals from a judgment of conviction for operating under the influence (Class D), 29-A M.R.S. § 2411(1-A) (2014), entered by the trial court (*Kelly, J.*) after a jury trial. Arndt argues that the court (*Brodrick, J.*) erred when it denied his motion to suppress evidence obtained incident to field sobriety and breathalyzer tests conducted following a traffic stop and Arndt's arrest.

Contrary to Arndt's contention, the motion court did not err in determining that, based on the totality of circumstances as examined from the standpoint of an objectively reasonable officer, the officer's administration of a blood alcohol test was supported by probable cause. *See State v. Bolduc*, 1998 ME 255, ¶ 9, 722 A.2d 44. Moreover, to the extent Arndt has preserved the issue, the court did not err in finding that the field sobriety tests conducted by the officer were supported by a reasonable articulable suspicion that Arndt was intoxicated. *See State v. Sylvain*, 2003 ME 5, ¶ 18, 814 A.2d 984.

The entry is:

Judgment affirmed.

On the briefs:

David Paris, Esq., Bath, for appellant John Arndt

Stephanie Anderson, District Attorney, and Michael H. Madigan, Asst. Dist. Atty., Prosecutorial District No. Two, Portland, for appellee State of Maine

Cumberland County Unified Criminal docket number CR-2014-471
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